

**REMARKS/ARGUMENTS**

Applicant appreciates the thorough examination of the present application, as evidenced by the first Official Action on the Merits. Following a Restriction Requirement and election, Claims 16-31 are pending and under consideration. The first Official Action rejects Claims 16-20 and 24-26 under 35 U.S.C. § 102(b) as being anticipated by European Patent Application Publication No. EP 0975109 to Suzuki. The Official Action then rejects Claims 21, 23, 27, 28 and 31 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki, in view of U.S. Patent No. 7,383,561 to Nelger et al.; rejects Claim 22 as being unpatentable over Suzuki in view of Nelger, and further in view of U.S. Patent No. 7,313,414 to Van Rooyen; and rejects Claims 29 and 30 as being unpatentable over Suzuki in view of Nelger, and further in view of U.S. Patent Application Publication No. 2002/0021809 to Salo et al.

As explained below, however, Applicant respectfully submits that the claimed invention is patentably distinct from Suzuki, Nelger, Van Rooyen and Salo, taken individually or in any proper combination. Nonetheless, Applicant has amended various ones of the claims to further clarify the claimed invention. In view of the amendments to the claims and the remarks presented below, Applicants request reconsideration and allowance of all of the pending claims of the present application.

***A. Claims 16-20 and 24-26 are Patentable***

As indicated above, the first Official Action rejects Claims 16-20 and 24-26 as being anticipated by Suzuki. Briefly, Suzuki discloses a digital broadcasting method for minimizing the stand-by power in an apparatus for receiving a digital broadcast. The method includes multiplexing transmission schedule information with program (audio and video) data. The transmission schedule information includes a table showing when future EMM messages are to be transmitted. At the receiving side, the transmission schedule information is analyzed and the transmission times for future EMMs that are relevant for the receiving apparatus are saved in memory. The receiving apparatus can then turn itself on in time to receive the relevant EMMs.

In contrast to amended independent Claim 16, and similarly amended independent Claims 24 and 26, Suzuki does not teach or suggest that the transmission schedule information is

included in the EMMs and the ECMs. That is, Suzuki does not teach or suggest control messages including the transmission schedule information and also including “information for determining whether the subscriber has the right to view the broadcast or information required to decrypt the broadcast.” Instead, in Suzuki, the transmission schedule information is transmitted in separate, dedicated transmission schedule information messages. Consequently, the independent claims are distinguished over Suzuki.

The subject matter of amended independent Claims 16, 24 and 26 does not require a separate message with the transmission schedule information, as in Suzuki. Messages including “information for determining whether the subscriber has the right to view the broadcast or information required to decrypt the broadcast,” such as EMMs and ECMs, may be sent at regular intervals to the subscriber. To reduce the power consumption, information indicating when the EMMs and the ECMs are to be sent to the user equipment is transmitted to the user equipment such that it only has to power up to receive the messages. According to Suzuki, the time information is sent in a separate message. In contrast, according to the claimed invention, the time information is sent in the actual messages including “information for determining whether the subscriber has the right to view the broadcast or information required to decrypt the broadcast.” Consequently, no separate messages have to be prepared and transmitted.

Moreover, in Suzuki, time information for EMMs and ECMs relevant to different user equipment is included in the transmission schedule information message. The user equipment therefore has to search through the message with time information to find the relevant information. In contrast, since the time information is sent with the control message including “information for determining whether the subscriber has the right to view the broadcast or information required to decrypt the broadcast,” according to amended independent Claims 16, 24 and 26, only time information relevant for the subscriber to which the control message is sent need to be included in the message and therefore less processing is required to search through the message at the receiving side to find the relevant information. In Suzuki, since time information for all control messages to all subscribers is included in the transmission schedule information message, the receiving side therefore has to receive more data and use more processing power to search through the data. The claimed invention as per amended independent Claims 16, 24 and

26 therefore reduces the processing power and minimizes the amount of data that must be received.

Applicant therefore submits that amended independent Claims 16, 24 and 26, and by dependency Claims 17-23 and 25, are patentably distinct from Suzuki. And for at least the foregoing reasons, Applicant submits that the rejection of Claims 16-20 and 24-26 as being anticipated by Suzuki is overcome.

***B. Claims 21, 23, 27, 28 and 31 are Patentable***

The Official Action rejects Claims 21, 23, 27, 28 and 31 as being unpatentable over Suzuki, in view of Nelger. Applicant addresses Claims 21 and 23, followed by Claims 27, 28 and 31.

***1. Claims 21 and 23***

As explained above, amended independent Claims 16, 24 and 26, and by dependency Claims 17-23 and 25, are patentably distinct from Suzuki. Applicant respectfully submits that Nelger does not cure the deficiencies of Suzuki. That is, even considering Nelger, neither Suzuki nor Nelger, taken individually or in any proper combination, teach or suggest the claimed invention of amended independent Claims 16, 24 and 26. Applicant therefore respectfully submits that amended independent Claims 16, 24 and 26, and by dependency Claims 17-23 and 25, are patentably distinct from Suzuki and Nelger, taken individually or in any proper combination.

For at least the foregoing reasons, Applicant submits that the rejection of Claims 21 and 23 as being unpatentable over Suzuki, in view of Nelger is overcome.

***2. Claims 27, 28 and 31***

In contrast to independent Claims 27 and 31, Suzuki does not disclose a transceiver or requesting "transmission time information." Nelger discloses a mobile transceiver, but it only discloses requesting ECMs. The Official Action alleges that "it would have been obvious to one of ordinarily skilled in the art at the time of the invention to modify Suzuki, to incorporate a

mobile receiver or mobile transceiver within the main STB receiver to request the control message as taught by Nelger.” However, Nelger does not specify that the requested control messages comprise time information. Consequently, the modification proffered in the Official Action would not lead to the invention of independent Claims 27 and 31. The invention per these claims do not recite that the actual control messages, such as EMMs and ECMs, are requested but that transmission time information for future EMMs and ECMs is requested. Consequently, Applicant respectfully submits that one skilled in the art would not have been motivated to modify Suzuki’s receiver into a mobile transceiver and to request EMMs and ECMs. In this regard, one skilled in the art would not have been taught how to request transmission time information, and consequently, Applicant submits that the subject matter of independent Claims 27 and 31 (reciting that transmission time information is requested) would not have been obvious from a combination of Suzuki and Nelger.

Applicant therefore submits that independent Claims 27 and 31, and by dependency Claims 28-30, are patentably distinct from Suzuki and Nelger, taken individually or in any proper combination. And for at least the foregoing reasons, Applicant submits that the rejection of Claims 27, 28 and 31 as being unpatentable over Suzuki, in view of Nelger is overcome.

***C. Claims 22 are Patentable***

The Official Action rejects Claim 22 as being unpatentable over Suzuki in view of Nelger, and further in view of U.S. Patent No. 7,313,414 to Van Rooyen. As explained above, amended independent Claims 16, 24 and 26, and by dependency Claims 17-23 and 25, are patentably distinct from Suzuki and Nelger, taken individually or in any proper combination. Applicant respectfully submits that Van Rooyen does not cure the deficiencies of Suzuki or Nelger. That is, even considering Van Rooyen, none of Suzuki, Nelger or Van Rooyen, taken individually or in any proper combination, teach or suggest the claimed invention of amended independent Claims 16, 24 and 26. Applicant therefore respectfully submits that amended independent Claims 16, 24 and 26, and by dependency Claims 17-23 and 25, are patentably distinct from Suzuki, Nelger and Van Rooyen, taken individually or in any proper combination.

For at least the foregoing reasons, Applicant submits that the rejection of Claim 22 as being unpatentable over Suzuki in view of Nelger, and further in view of Van Rooyen is overcome.

***D. Claims 29 and 30 are Patentable***

The Official Action then rejects Claims 29 and 30 as being unpatentable over Suzuki in view of Nelger, and further in view of Salo. As explained above, independent Claims 27 and 31, and by dependency Claims 28-30, are patentably distinct from Suzuki and Nelger, taken individually or in any proper combination. Applicant respectfully submits that Salo does not cure the deficiencies of Suzuki or Nelger. That is, even considering Salo, none of Suzuki, Nelger or Salo, taken individually or in any proper combination, teach or suggest the claimed invention of independent Claims 27 and 31. Applicant therefore respectfully submits that independent Claims 27 and 31, and by dependency Claims 28-30, are patentably distinct from Suzuki, Nelger and Salo, taken individually or in any proper combination.

For at least the foregoing reasons, Applicant submits that the rejection of Claims 29 and 30 as being unpatentable over Suzuki in view of Nelger, and further in view of Salo is overcome.

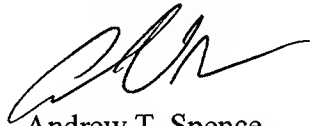
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**CONCLUSION**

In view of the amendments to the claims and the remarks presented herein, Applicant respectfully submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Andrew T. Spence  
Registration No. 45,699

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111  
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